

REMARKS

Claims 1-25 are pending in this application. Assignee and the undersigned attorney thank Examiner Davis for her review of this patent application and the indication that claims 8, 11-13, 23, and 24 contain allowable subject matter and claims 18 and 19 are allowed (*see* Interview Summary). Claims 7, 9, 10, and 22 have been withdrawn pursuant to an election of species requirement. Claims 6, 17, and 25 are amended above, and claim 5 is cancelled. Assignee respectfully requests reconsideration of claims 1-4, 6, 8, 11-17, 20, 21, and 23-25.

Claim Rejections

In the Action and subsequent interview with the Examiner, the Examiner rejected claims 1-6, 14-17, 20, 21, and 25 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,272,605 to *Johnstone* (“*Johnstone*”). Claims 8, 11-13, 23, and 24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 18 and 19 are allowed.

Claims 1-4, 6, 8, and 11-17

Claim 1 recites:

A mounting device for connecting an electrical fixture to a junction box that is mounted to a wall or ceiling surface, the mounting device comprising:
a canopy element that covers the junction box upon connection of the mounting device to the junction box;
a connector that connects to the electrical fixture and is disposed between the canopy element and the junction box; and
a universal mounting plate integrally formed with the connector that connects to the junction box.

Contrary to the Examiner's assertions, *Johnstone* does not teach each and every element of claim 1.

Johnstone teaches a universal mounting plate 20 mountable to both a canopy bracket 18 and an electrical junction box. See col. 3, lines 11-14. The universal mounting plate 20, which the Examiner asserts is also the recited connector, does not connect to the electrical fixture, which is exit sign 10 with exit sign housing 12 in *Johnstone*. Rather, universal mounting plate 20 connects to canopy bracket 18, and canopy bracket 18 connects to the electrical fixture through one of holes 16A or 16B in exit sign housing 12. See Figs. 2, 7, and 8; col. 4, lines 35-61.

In contrast, claim 1 recites a connector and universal mounting plate integrally formed and connecting to the electrical fixture and the junction box. One embodiment of this is shown in Fig. 10 of the application and the figures that follow, with connector 84 and integrally-formed mounting plate 86. Structure of connector 84 passes through an opening in canopy element 82 and connects to the exit sign housing through openings therein. This is different from *Johnstone*, which teaches a connector/universal mounting plate to canopy connection and a canopy to housing connection in order to mount the electrical fixture to a junction box.

For this reason, the Examiner should withdraw the rejection of claim 1 as anticipated by *Johnstone*, and claim 1 should be allowed.

Inasmuch as claims 2-4, 6, 8, and 11-17 depend from and thereby include the limitations of claim 1, claims 2-4, 6, 8, and 11-17 should also be allowed for at least such

dependencies. Amended claim 17 should also be allowed for the following additional reason.

Amended claim 17 recites:

The mounting device of claim 1, wherein the canopy element is secured without any screws engaging or passing through the canopy element.

Johnstone does not teach or suggest the additional limitation of amended claim 17. *Johnstone* teaches a mounting device using two sets of screws. Screws 43 are used to attach universal mounting plate 20 to a junction box 36. See col. 3, lines 61-65; Fig. 6. Additionally, screws 40 are captured in canopy bracket 18 and are used to permanently secure canopy bracket 18 to universal mounting plate 20. See col. 3, lines 59-61; col. 4, lines 23-29; Figs. 1, 6, and 7. Threaded screw housings 50, best seen in Fig. 7, are provided in canopy brackets 18 to threadingly locate screws 40. See col. 4, lines 3-5. It is clear that *Johnstone* requires screws 40 passing through canopy bracket 18 in order to secure canopy bracket 18 in place.

Claim 17 recites that the canopy element is secured without any screws engaging or passing through the canopy element. In certain embodiments described in the present application, screws or other fasteners that connect the junction box to the sign housing through the universal mounting plate element are covered by outer portions of a canopy element of the mounting device in a finished installation such that the screws and fasteners are not visible, and no screws pass through the canopy elements. This provides for an easier installation and more pleasing appearance than the device taught by *Johnstone*.

For these reasons, the Examiner should withdraw the rejection of claim 17 as

anticipated by *Johnstone*, and claim 17 should be allowed.

Claim 20

Claim 20 recites:

A mounting device for connecting an electrical fixture to a junction box that is mounted to a wall or ceiling surface, the mounting device comprising:
a canopy element that covers the junction box upon connection of the mounting device to the junction box;
a universal mounting plate that connects to the junction box and is disposed between the canopy element and the junction box; and
connecting structure integrally formed with the electrical fixture that connects the electrical fixture to the universal mounting plate.

Johnstone fails to teach or suggest each and every element of claim 20. Claim 20 recites connecting structure integrally formed with the electrical fixture that connects the electrical fixture to the universal mounting plate. The connecting structure that connects the exit sign of *Johnstone* to the universal mounting plate 20 is part of canopy bracket 18 and not integrally formed in the exit sign housing, as can be clearly seen in Fig. 2. For this reason, the Examiner should withdraw the rejection of claim 20 as anticipated by *Johnstone*, and claim 20 should be allowed.

Claims 21 and 23-25

For reasons similar to those described above with respect to claim 1, claim 21 should also be allowed. Inasmuch as claims 23-25 depend from and thereby include the limitations of claim 21, claims 23-25 should also be allowed for at least such dependencies. Claim 25 should also be allowed for reasons similar to those described above with respect to claim 17.



Conclusion

The foregoing is submitted as a full and complete response to the Action mailed January 12, 2006. Assignee submits that claims 1-4, 6, 8, 11-21, and 23-25 are in condition for allowance, and notice of allowance is respectfully requested. The preceding arguments in favor of patentability are advanced without prejudice to other bases of patentability. If the Examiner believes there are any issues that can be resolved via a telephone conference, or there are any informalities that can be corrected by an Examiner's amendment, please call Geoffrey Gavin at (404) 815-6046.

The undersigned attorney believes no fees are due; however, the Commissioner is authorized to debit deposit account no. 11-0855 to the extent necessary if other fees are due.

Respectfully submitted,

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Date: April 6, 2006

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